IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 20998 of 2005

Between:

M/s. Miracle Cosmetic Products, Shed No. 8-4-52/2/C, Mailardevpally Village, Rajendranagar Mandal,
Sharef S/o. Mohd. Shanawaz Sharef, aged about 30 yrs,

..... PETITIONER

AND

1. The Principal Secretary, Agriculture & Co-operation,

Government of Andhra Pradesh,
Secretariat Buildings, Hyderabad,
2. The Commissioner & Director of Agriculture,

Government of Andhra Pradesh, Hyderabad,

.....RESPONDENTS

The Court made the following:

ORDER:

Questioning the action of the respondents in not issuing the endorsement for manufacturing liquid vaporizer in the License No.262/2002-2003 held by the petitioner by holding the in action of the respondent in not passing any orders on the application dated 15.07.2005, the present writ petition has been filed.

The main grievance of the petitioner is that the petitioner company was granted license for manufacture of Allethrin & d-trans Allethrin under License No.262/2002-2003 dated 16.11.2002 and the said license was valid from 16.11.2002 to 31.12.2003. As the said license would expire by 31.12.2003, the petitioner applied for renewal of the license to the 2nd respondent and the 2nd respondent by proceedings No. PP.II(1) 2131/2003, dated 29.05.2004 has renewed the license with a condition to submit the consent for running the factory from the A.P. Pollution Control Board. Pursuant to the said condition, the petitioner approached the Pollution Control Board and submitted the application for issue of No Objection Certificate and the said Control Board returned the application on the ground that the Government has imposed prohibition of Industries within 10Kms radius of Himayat Sagar/Osman Sagar Lakes. In fact, the petitioner's unit is situated at Mailardevpally, which is not included in the said annexure.

As the season for Mosquitoes had commenced for this year and they planned to start the production of Liquid Vaporizer, for which they had license from the Central Government, with requisite fee of Rs.2000/-. The petitioner made an application dated 15.07.2005 to the 2nd respondent requesting him to make necessary endorsement in the License so issued to them for the purpose of manufacturing Liquid Vaporizer. Even though the 2nd respondent received the same, so far no orders have been passed. Aggrieved by the same, the present writ petition has been filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Agriculture.

Having regard to the facts and circumstances and in view of the fact that it is for the second respondent to take appropriate decision on the application made by the petitioner, without expressing any opinion on the merits of the case, I deem it

appropriate to direct the second respondent to pass appropriate orders on the application dated 15.07.2005 made by the petitioner in accordance with law, within a period of four (4) weeks from the date of receipt of the copy of this order.

With the above direction, the writ petition is disposed of. No costs.

(K.C. BHANU, J)

Date: 27.09.2005

Note: Issue C.C. in two days.

B.O.

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